Approved For Release 1999/09/10: CIA-RDP78-03721A000200020005-1

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Proposed CIA Retirement Act

PART D - BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

Retirement for Disability or Incapacity-Medical Examination-Recovery

Sec. 231. (a) Any participant who has five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with provisions of section 251 or 252(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Director, be retired on an amuity computed as prescribed in section 221. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the system at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a perticipant under this provision shall in no case exceed the difference between his age at the time of retirement and the mendatory retirement age applicable to his grade in the Agency.

Foreign Service Act

Sec. 831. (a) Any participant who has five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with provisions of section 851 or 852(a)(2). and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease. illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or unon order of the Secretary be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participent has less than twenty years of service credit toward his retirement under the System at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service. but the additional service credit that may accrue to a perticipent under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

Civil Service Retirement Act

Sec. 1. (g) The terms "disabled" and "disability" shall mean totally disabled for useful and efficient service in the grade or class of position last eccupied by the amployee or Member by reason of disease or injury not due to wicious habits, intemperance, or willful misconduct on his part within the five years next prior to becoming so disabled.

Sec. 7. (a) Any employee who completes five years of civilian service and who is found by the Commission to have besome disabled shall, upon his com application or upon application by his department or agency, be retired on an ammanity computed as provided in section 9. Any Member who completes five years of Member service and who is found by the Commission to have become disabled shall, upon his own application, be retired on an annuity computed as provided in section 9.

(b) No claim shall be allowed under this section unless the application is filed with the Commission prior to separation of the employee or Member from the mervice or within one year thereafter. This time limitation may be waived by the Commission for an individual who at the date of separation from service or within one year thereafter is mentally incompetent, if the application is filed with the Gammission within one year from the date of restoration of such individual to competency or the appointment of a fiduciary, whichever is the

Approved For Release 1999/09/10 : CIA-RDP78-03721A000200020005 (cent'd on page 16) Approved For Release 1999/09/10: CIA-RDP78-03721A000200020005-1

Proposed CIA Retirement Act

Foreign Service Act

Civil Service Retirement Act

/Sec. 9(a) concerning the computation of annuities (quoted opposite Sec. 221 (a) of the Proposed CIA Retirement Act above) specifically provides as follows for disability annuities: "Provided further, That the annuity of an employee retiring under section 7 shall be at least (1) 40 per centum of the average salary or (2) the sum obtained under this subsection after increasing his total service by the period elapsing between the date of separation and the date he attains the age of sixty years, whichever is the lesser, but this provise shall not increase the ansmity of any survivor.

Sec. 16(c), quoted in full above opposite sec. 201(c) of the Proposed CIA Retirement Act, provides that disability determinations by the Commission are final and conclusive and not subject to review.

Sec. 7. (c) Each annuitant retired under this section or under section 6 of the Act of May 29, 1930, as amended, unless his disability is permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching age sixty, be examined under the direction of the Commission. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established. (contid on page 17)

Sec. 231. (b) In each case, the participent shall be given a medical examination by one or more duly qualified physicians or surgeons designated by the Director to conduct examinations, and disability shall be determined by the Director on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his grade in the Agency. If the Director determines on the basis of the

Sec. 831. (b) In each case, the participant shall be given a physical examination by one or more duly qualified physicians or surgeons designated by the Secretary to conduct examinations, and disability shall be determined by the Secretary on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the (cont'd page 17)

(cont'd on page 17) Approved For Release 1999/09/10 : CIA-RDP78-03721A000200020005-1

devaterians or surgeons conducting such examinations that an ammitant has rerequire to duty, the annuitant may sighly for reinstatement or reappointgrade of his contemporaries in the Agency, appoint him to a grade higher than the one in which he was sepving prior to retirement. Payment of the annuity shall continue dete of the examination showing reservery or until the date of reingtatement or reappointment in the Agency, whichever is earlier. Fees for examinations under this prevision, together with ressonable ment in the Agency within one year inflate the date his recovery is determined. Upon application the Director may reinstate any such recovered digability annuitant in the grade in dates of one or more duly qualified tigement, or the Director may, tak-ing into consideration the age, qualifications, and experience of shigh he was serving at time of repowered to the extent that he can curred in order to submit to examunder this section, payment of the until a date six months after the submit to examination as required ination, shall be paid out of the trendling and other expenses inannuity shall be suspended until continuance of the disability is fund, If the smmittent fails to satisfactorily established. Sec. 271. (b) (cont'd)

Foreign Service Act

covered to the extent that he can return his recovery is determined. Upon application the Secretary shall reinstate any such recovered disability ammittant in the class in which he was serving at anmuitant, and the present class of his Miss or, in the case of an amultant who may, taking into consideration the age, examinations that an ammittant has rehim, by and with the advice and consent after the date of the examination showing recovery or until the date of reinqualifications, and experience of such contemporaries in the Service, appoint physicians or surpons conducting such to retirement. Payment of the amunity shall continue until a date six months statement or reappointment in the Serexaminations under this provision, to-Service within one year from the date of the Senate, to a class higher than the one in which he was serving prior reinstatement or reappointment in the continuance of the disability is setis vice, whichever is earlier. Pees for Sec. 631. (b) (count.d)
advise of one or more duly qualified to duty, the armuitant may apply for fails to submit to examination as required under this section, payment of time of retirement, or the Secretary is a former Foreign Service officer, recommend that the President appoint gether with ressonable traveling and submit to examination, shall be paid the annuity shall be suspended metal other expenses occurred in order to out of the Fund. If the amnitant Cactorily established.

Civil Service Retirement Act

rate of ocmpensation of the position of an articles of contensate.

See, 16. (e) Fees for examinations of this? current rate of compensation of the postition occupied at the time of gentificament, payment of the annuity Ghall osase upon recomployment by the General calendar year in which earning capacity is so restored, whichever is ear-See. 7. (d) If such annuitant, before reaching age staty, recovers from his meceeding calendar years, the informs cheability, payment of the annuity shall cease upon recomployment by othe Government or one year from the date such recovery, whichever is earlier. If such annuitant, before reaching age sixty, is restored to an earding capacity fairly comparable to the of the annultant from wages or selfment or one year from the end of the there, Rerning capacity shell be a decimal restored if, in each of the employment, or both, shall equal at of the medical examination showing least 80 per centum of the current

Mot, by physicians or surgeons who are not medical officers of the United such examinations, shall be paid out expenses incurred in comection with with reasonable traveling and other of the appropriations for the cost States, shall be fixed by the Commission, and such fees, together of administering this Act.

mag retired for disability and he shall, after the discontinuance of the disappointed in the Agency, he shall be compildered to have been separated withanguitant whose armuity is discontinued isolor any reason not reinstated or re-231. (c) If a recovered disability incthe meaning of paragraphs (a) and (b) of section 234 as of the date he tion 241(a) except that he may elect voguntary retirement in accordance with the provisions of section 233 sbillty annuity, be entitled to the begeints of that section or of sec-Phe can qualify under its provi-

Foreign Service Act

unmitant whose annuity is discontinued is for any reason not reinstated or reconsidered to have been separated within the meaning of section 834 as of the Sec. 831. (c) If a recovered disability data he was retired for disability and the disability annuity, be entitled to appointed in the Service, he shall be he shall, after the discontinuance of elect voluntary retirement in accordence with the provisions of section the benefits of that section or of section 841(a) except that he may 636 if he can qualify under its provisions.

Civil Service Retirement Act

at the same rate shall be restored offective from the date of medical examcompensation of the position occurred the harmony prior to retirement, by the harmony recovered from the disgoility for which he was retired. In the case of an annuitant whose annuity is because of a medical finding that the ammitant has recovered from disabilannuity is discontinued under subjecthe applicable provision of this Ect. beretofore or hereafter discontinued year following any calendar year En which his income from wages or selfimation showing a recurrence of such titled to amnity in accordance with except for service credit, as having the service for the purposes of this Act as of the date of discontinuages of the disability annuity and shafl, 80 per centum of the current retended putor law and such ammitant is not recomployed in any position included the provisions of this Act, amuity restored effective the first of the tion (d) is not reemployed in any position included in the provisions ity and such annuitant is not reemof this Act, he shall be considered Sec. 7. (e) If such annuitant whose In the case of an annuitant whose gannuity is heretofore or hereaftes discontinued because of an earning capacity provision of this or any in the provisions of this Act, assumity at the same rate shall bed employment, or both, is less than ployed in any position included in after such discontinuance, be enbeen involuntarily separated from

-03721A000200020005-1

contid on page 19)

right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. deg the Federal Employees' Compensation Act of September 7, 1916, as amended, (5 U.S.C. 751 et seq.) under this Act and compensation for ther this provision nor any prooscurrently any payment under such Ast of September 7, 1916, as ofins own services and to receive amended, by reason of the death of No participent shall seconstrued as to deny the right of any participant to receive an of entitled to receive an anmuity rigion of the said Act of Septemout 7, 1916, as amended, shall be THIS provision shall not bar the assulty under this Act by reason any other person.

Sec. 831. (d) No participent shall be any payment under such Act of Septementitled to receive an annuity under this Act and compensation for indury right of any claiment to the greater any part of the same period of time. benefit conferred by either Act for Tederal Employees' Compensation Act Meither this provision nor any prober 7, 1916, as amended, by reason of the death of any other person. 1916, as amended, shall be so conperson to receive an annuity under or disability to himself under the staned as to deny the right of any this Act by reason of his own servision of the Act of September 7, vices and to receive concurrently covering the same period of time. of September 7, 1916, as amended, Ints provision shall not ber the

Cavil Service Retirement Act

receive annuity under the first sentence hereof and who has reached the age of sixty-two years.

Sec. 7. (f) No person shall be ene any person receiving or eligible a disability. Neither the second ner third sentence of this subsections shall be applicable in the case of Sec. 7(4)(cont'd)

Act of September 7, 1916, as amenged, service rendered by him, or deny shy concurrent benefit to such person ounder such Act of September 7, 1915, as amended, on account of the death right of any claimant to the greater any part of the same period of time. titled to receive an amounty under this Act and compensation for in-6 jury or disability to himself under vision in such Act of September 75, 1916, as amended, shall deny to any person an amulity accruing to such benefit conferred by either Act fer Meither this provision nor any prothe Federal Employees' Compensation covering the same period of time. O person under this Act on account of of any other person.

tion under such section has been paids extlon fund. Before such person could be shall (1) refund to the Department of Labor the amount representing such committed payments for such extended may be made from accrued and accruing been paid for any period extended bethe Department of Labor, the be refunded to such manner as the Secretary of Labor Repert Employees' Compensation Act of September 7, 1916, as amended, (5.U.S.C. 764) except that where such period, or (2) authorize the deduction of such amount from the armuity payable to him under this Act, which amount shall be transmitted to such payments, or may be prorated against Department for reimbursement to such the annuitant are such as to warrant repotetion of law to the contrary, the yeard the date such ammity becomes effective, as determined by the Secaffauity is payable on account of the belyed an award of compensation in a fund. Deductions from such annuity affected because such person has reed much of such compensation as has that the financial circumstances of sage disability for which compensaifto the Federal employees' compenand paid from accruing payments in armuity under this Act shall not be shall determine, whenever he finds right of any person entitled to an 36. 211. (e) Notwithstanding any Light sum under section 14 of the such deferred refunding.

Foreign Service Act

provision of law to the contrary, the of such compensation as has been paid lump sum under section 14 of the Act affected because such person has received an award of compensation in a ability for which compensation under shall be transmitted to such Departdate such annuity becomes effective, such amount from the annuity payable ment for reimbursement to such Fund, stances of the annuitant are such as anmuity under this Act shall not be Fund. Before such person shall re-ceive such annuity he shall (1) repayable on account of the same dissuch section has been paid, so much Labor, shall be refunded to the Dethe Federal Employees' Compensation to him under this Act, which amount Deductions from such annuity may be made from accrued and accruing payfund to the Department of Labor the to warrant such deferred refunding. right of any person entitled to an for any period extended beyond the partment of Labor, to be paid into and paid from accruing payments in payments for such extended period, Cabor shall determine, whenever he as determined by the Secretary of except that where such anmitty is mount representing such computed or (2) authorize the deduction of Sec. 831. (e) Notwithstanding any of September 7, 1916, as amended, ments, or may be prorated against Cinds that the financial circummuch manner as the Secretary of

Civil Service Retirement Act

lump sum under section 14 of the Act of September 7, 1916, as amended, example that where such annuity is payable be transmitted to such Department for relaboursement to such fund. Deductigns funded to the Department of Labor, the be covered into the Federal Employees Compensation Fund. Before such person encunt representing such commuted pakers for such extended period, or b sation as has been paid for any perigd (2) suthorize the deduction of such 00 amount from the armuity payable to 00 him under this Act, which amount shagi has been paid, so much of such compagbecomes effective, as determined by the Department of Labor, shall be rep Sec. 7. (g) Notwithstanding any pro-covision of law to the contrary, the dright of any person entitled to an earnity under this Act shall not be o on account of the same disability for affected because such person has red which compensation under such section whall receive such annuity he shall E extended beyond the date such annuits financial circumstances of the annuithe Department of Labor shall determents for such extended period, or (2) suthorize the deduction of such accruing payments in such manner as from such annuity may be made from (1) refund to such Department the scorned and accruing payments, or be prorated against and paid from mine, whenever it finds that the tant are such as to warrant such leferred refunding.

Death in Service

Sec. 232. (a) In case a participant S des and no claim for annuity is payable under the provisions of this a A&t, his contributions to the fund, his sections 241(a) and 281(a), shall be been paid in the order of precedence by samme in section 241(b).

Sec. 832. (a) In case a participant dies and no claim for ammity is payable under the provisions of this Act, his contributions to the Fund, with interest at the rates prescribed in sections 841(a) and 881(a), shall be paid in the order of precedence whome in section 841(b).

Civil Service Retirement Act

Sec. 11. (d) If an employee or be mader dies (1) without a survived, or (2) with a survivor or surviveds and the right of all survivors shall terminate before claim for survived summity is filled, or if a fermer of employee or Member not retired dies, the lump-sum credit shall be paided by

credit aball mean the warefunded amount conditing of (1) the retirement deductions made from the 66
threads salary of an emplaye or 15
heads or Member covering 15
heads deductions and (3) interest of 15
heads deductions and 6epocits at had 16
heads deductions and 1956, or, in the case, 16
heads and 3 per centum per annum 16
heads annum 16
heads annum 17
heads an

See. 11(c), queted in full below epposite section 241(b) of the Proposed CIA Retirement Act, specifies the order of precedence for payment of a lump sum benefits.

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adjusted and of section 221(a). The adjusted of such widow or dependent widower shall commence on the date real shall berminate upon death of the participant widow or dependent widower, or upon the dependent widower, or upon the dependent widower's becoming capable of self-support. such widow or dependent widows office or retirement from the Agency mild is survived by a widow or depenequal to 50 per centum of the annuwent widower, as defined in section provisions of paragraph (e) of this Sec. 232. (b) If a participant, who has at least five years of service or 252(a)(2), dies before sepacradit toward retirement under the system, excluding military or naval sequice that is aredited in accordance with the provision of section 25 or 252(a)(2), diss before will be entitled to an annuity

Poresign Service Act

Sec. 832. (b) If a participent who has 50 per centum of the annuaty computed of least five years of service credit such widow or dependent widower shall in accordance with the provisions of paragraph (e) of this section and of commence on the date following death 852(a)(2), dies befere separation or of the participant and shall termisection 821(a). The annuity of such widower, as defined in section 804, that is credited in accordance with be entitled to an annuity equal to toward retirement under the System, excluding military or naval service dependent widower, or upon the dependent widower's becoming capable retirement from the Service and is survived by a widow or a dependent the provisions of section 851 or widow or dependent widower shall nate upon death of the widow or of self-support.

Civil Service Retirement Act

the month before (1) death or rethe month before (1) death or remaintage of the widower's becoming
or (2) the widower's becoming
capable of self-support. 55 per centum of an annulty computed as provided in subsections (a), (a) Member dies after completing at deleast five years of civilian seror vice, the widow or dependent and widower of such employee or Member shall terminate on the last day of shall be paid an annuity equal too ployee or Hember. The amulty off may apply with respect to the emthe employee or Member dies, and (c), (e), and (f) of section 9 ask such amuity or any right thereto. such widow or dependent widower shall commence on the day after

togard retirement under the system, exis credited in accordance with the provietions of section 251 or 252(a)(2), clading military or mayal service that Seg. 232. (c) If a participent who has wife or a husband and a child or chilatoleast five years of service credit section 221(e). Upon the death of the surring wife or husband or terminadigs before separation or retirement from the Agency and is survived by a though such wife or husband or child had not survived the participant. in Accordance with the prestsions of tion of the annuity of a child, the amplitues of any remaining children dran, each surviving child shall be milty shall begin and be terrainated section 221(c)(1). The child's anentitled to an anmity computed in accordance with the provisions of shell be recomputed and paid as 1A000200020005-1

Fereign Service Act

toward retirement under the System, exis aredited in accordance with the pre-visions of section 851 or 852(s)(2), shild had not survived the participant. cluding military or naval service that Sec. 832. (c) If a participant who has wife or a husband and a child or chilat least five years of service credit from the Service and is survived by a section 821(c)(1). The child's sumsection 821(e). Upon the death of the surviving wife or immediand or terminadies before separation or retirement ity shall begin and be terminated in dren, each surviving child shall be tion of the ammity of a child, the ammities of any remaining children entitled to an ammenty ecomputed in accordance with the provisions of accordance with the provisions of shall be recomputed and paid as though such wife or husband or

Cavil Service Retirement Act

divided by the number of children of child be paid an armuity equal to the commellest of (1) 40 per centum of 6 the employee's or Member's average salary divided by the number of 1 the comment of 1 the Sec. 10. (d) If an employee or a defender dies after completing at a least five years of civilian service, or an employee or a Member of the service. dies after having retired under any provision of the Act, and is surwived by a wife or by a husband, a each surviving child who received more than one-half of his support of from such employee or Member shall? children, (2) \$600, or (3) \$1,800 Sec. 10. (d) If an employee or a wived by a wife or by a husband, be paid an ammity equal to the

Proposed GIA Nettrement Act

ance with the provisions of section 225(e). Upon termination of the annual 150 of a child, the annual these of any remaining children shall be recomputed and paid as though that child help inever been entitled to the behalft. toward retirement under the system, exis correct ted in accordance with the proadjordance with the provisions of section 221(c)(2). The child's ammity algaing military or mayal service that Seg. 232. (d) If a participant who has Chen the Agency and is not survived by Releast five years of service credit becentitled to an annuity computed in onlitren, each surviving child or tige before separation or retirement in 11 begin and terrainate in accord-

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Foreign Service Act

from the Service and is not survived by toward retirement under the System, exis credited in accordance with the provisions of section 851 or 852(a)(2), remaining children shall be recomputed Sec. 832. (d) If a participant who has cluding military or naval service that accordance with the provisions of section 621(c)(2). The child's structure at least five years of service credit be entitled to an annuity computed in 821(e). Upon termination of the amma des before separation or retirement a wife or husband, but by a child or mass with the provisions of section ity of a child, the armstitles of any children, each surviving child shall shall begin and terminate in accordnever been entitled to the benefit. and paid as though that child had

Mail Service Retirement Act

section 1(j) shall terminate on 00 the last day of the month before 0(l) his marriage, (2) his death, 00(3) his ceasing to be such a student, or (\(\pi\)) his atteining age 00 teenty—one. Upon the death of 9 or Member's average salary divided by the number of children, (2) 1720, or (3) \$2,160 divided by the number of self-support after age eighteeff, (3) his marriage, or (4) his death, except that the annuity of a child If such employee or Member is noted survived by a wife or husband, each surviving child shall be paid an elementy equal to the emallest of a annuity equal to the emallest of a (1) 50 per centum of the employee is puted and paid as though such wife, amended from and after February 28, month before (1) his attaining aga eighteen unless incapeble of self-support, (2) his becoming capable. shall commence on the day after the employee or Member dies, and such garantity granted under this Act or or under the Act of May 29, 1930, as go nusband, or child had not survived who is a student as described in > of children. The child's annulty 1948, or any right thereto shall .. termination of the annuity of the child or children shall be recomthe surviving wife or husband or child, the annuity of any other Sec. 10. (d) (cont'd)

orgher death, the participant had less than twenty years of service credit togard retirement under the system, Seg. 232. (e) If, at the time of his shall be computed in accordance with the provisions of section 22 on the ceised participant was qualified for refers of service, but the additional degeased participant under this provide on shall in no case expeed the distance between his or her age on the mendatory refirement on the date of his death. assumption he or she has had twenty sagvice credit that may accrue to a regirement age applicable to his or capes arising under paragraphs (b), (dg, (d), or (e) at this section, the annuities payable in accordance wigh paragraph [16] of this section Italian assumed that the debe grade in the Agency. In all

Voluntary Retirement

Seg. 233. Any participent in the system who is at least fifty years of segs and has rendered twenty years of service may on his own application and with the consent of the Director be retired from the Agency provided he has at least five years of and receive benefits in accordance with the provisions of section 221 service with the Agency.

Foreign Service Act

Sec. 832. (e) If, at the time of his or her death, the participant had less participant was qualified for retirecases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be computed in accordance with difference between his or her age on the provisions of section 821 on the years of service, but the additional deceased participent under this proretirement age applicable to his or her class in the Service. In all the date of death and the mandatory than twenty years of service credit service credit that may accrue to a assumption he or she has had twenty toward retirement under the System, the annuities payable in accordance vision shall in no case exceed the shall be assumed that the decegoed with paragraph (b) of this section ment on the date of his death.

Foreign Service Retirement and Dis-ability System who is at least fifty years of age and has rendered twenty years of service, including service may on his own application and with the consent of the Searctary be retired from the Service and receive within the meaning of section 853, Sec. 636. Any participant in the benefits in accordance with the provisions of section 821.

Civil Service Retirement Act

No comparable proviedon.

See, 10(e) of the CSRA is a special provision for Members.

See, 6. (a) Any employee we save of sirty years of sirty years of sirty years of sarrios shalls, upon separation from the service, be paid an annutity occupied in section 9. as provided in section 9.

pletes thirty years of service shall, sixty years, be paid a reduced an-(b) Any employee who attains the prior to attainment of the age of upon separation from the service age of fifty-five years and com nuity computed as provided in (contid on page 26) section 9.

Civil Service Retirement Act

detention of persons suspected or detention of persons suspected or convicted of offenses against the actinding any employee engaged instantial laws of the United States, including any employee engaged instantial position. The section of provides for retirement of such demployees at age 50 with twenty or years of service without reduction in annuity.

[Seo. 6(d) concerns involuntary deparation and is quoted below opposite section 234(c) of the Proposed CIA Retirement Act.

Sec. 6. (e) Any employee who attains the age of sixty-two years and completes five years of ser-covice, shall, upon separation from the service, be paid an annuity computed as provided in sec-(cont'd)

Sec. 6(c) is a special provision of the "Any employee the duties of othorse position are primarily the p whose position are primarily the For "Any employee the duties of investigation, apprehension, or

Sec. 6(f) is a special provision years of service, at age 60 with retirement at age 62 with five relating to Members and their ten years of service, etc.

Ofscontinued Service Retirement

defermines that separation was based in the ground of hig contributions to the fund re-turned to him in accordance with the digloyalty to the United States) to leave his contributions in the fund and receive an annuity, computed as presertibed in section 221, commenctaming at least five years of servige credit toward retirement under the system, excluding military or upon separation from the Agency or atomy time prior to becoming eligible for an annuity, elect to have Seg. 234. (a) Any participant who segarates from the Agency after obprigitations of section 241, or (exing at the age of sixty years. nawal service that is credited in acgordance with the provisions of cett in cases where the Director sefftion 251 or 252(a)(2), may,

Foreign Service Act

the system, excluding military or naval service credit toward retirement under voluntarily separates from the Service after obtaining at least five years of service that is credited in accordance with the provisions of section 851 or 841, or to leave his contributions in the Fund and receive an annuity, com-puted as prescribed in section 821, commencing at the age of sixty years. 852(a)(2), may, upon separation from the Service or at any time prior to ance with the provisions of section the Fund returned to him in accordelect to have his contributions to Sec. 834. (a) Any participant who becoming eligible for an amuity,

visions of paragraph (a) of this section shall receive a refund of the contributions made to the Foreign Service Reexcept that in lieu of such refund such ability System separated under the protirement and Disability Fund, with inofficer may (except in cases where the accordance with the provisions of section 851 or 852(a), elect to leave his an amulity, computed as prescribed in section 821 commencing at the age of States) if he has at least flive years contributions in the Fund and receive under this System, excluding military terest, as provided in section 841(a) Sec. 637. (b) Any participant in the Secretary determines that separation was based in whole or in part on the or naval service that is credited in of service credit toward retirement Foreign Service Retirement and Disground of disloyalty to the United

Civil Service Retirement Act

Sec. 8(b) is a provision applicable only to Members.

Sec. 8(b) is a provision applicable only to Members.

Line was a provision applicable only to Members. Sec. 8. (a) Any employee who is

(cont'd on page 27a)

Foreign Service Act

Civil Service Retirement Act

Sec. 637(b) (cont'd)

ceive a deferred annuity dies before reaching the age of sixty, his conwith the provisions of sections 841 tributions to the Fund, with intersixty years. In the event that an provisions of this section to reofficer who has elected under the est, shall be paid in accordance and 881.

section to receive a deferred annuity before reaching the age of sixty his has qualified in accordance with the commencing at the age of sixty dies provisions of paragraph (a) of this Sec. 834. (b) If a participant who interest, shall be paid in accordance with the provisions of seccontributions to the Fund, with tions 841 and 881.

Sec. 11. (d) If an employee or Member dies (1) without a survivor, or (2) with a survivor or survivors of and the right of all survivors shall...

terminate before claim for annuity in filled, or if a former employee or Wember not retired dies, the lump-sum credit shall be paid. (underscoring supplied)

Lump-sum credit is defined in sec. 111) quoted in full above opposite sec. 232(a) of the Proposoite sec. 232(a) of the Proposoite sec. 232(a) of the Proposoite sec. 232(a)

-27-8-

vigions of section 221, provided they have in each case not less than five Sep. 234. (c) The Director may in his ten years of service with the Agency. gredde GS-14 and above to promote the efaiciency of the Agency. If so rebegiefits in accordance with the paro-And individual so retired who does now meet these service requirements shall receive the benefits provided for individuals in grade GS-13 as tiged they shall receive retirement yegrs of qualifying and a total of digeration ratire participants in seg out in paragraph (d) of this section.

Ad) The Director may in his dis-cretion retire participants in grade GSM13 and below to promote the efficigner of the Agency and each such perticipant shall receive-

the fund, in three equal installments rate, payable without interest, from athly one-twelfth of a year's salary athly then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's the participant's retirement and on immediately following: Provided, That in special cases, the Director may in his discretion accelerate or on the lat day of January following the two anniversaries of this date sagary at his then current salary combine the installments; and

(contid on page 29)

Foreign Service Act

to meet the standard of performance with the provisions of section 634. is retired from the Service in acsection 633 shall receive retireofficer in classes 1, 2, or 3 who promotion to a higher class within and receive benefits in accordance Sec. 634. (a) Any Foreign Service the specified period or who fails officer below the class of career required of officers of his class shall be retired from the Service ment benefits in accordance with Sec. 633. (b) Any Foreign Service cordance with the provisions of minister who does not receive a the provisions of section 821.

Micer in classes 4, 5, 5, or 7 who is retired from the Service in accord-Sec. 634. (b) Any Foreign Service ofance with the provisions of section 633 shall receive--

date immadiately following: Provided, and on the two armiversaries of this That in special cases, the Secretary each year of service and proportionstallments on the 1st day of January rate, payable without interest, from (1) one-twelfth of a year's salary ately for a fraction of a year, but not exceeding a total of one year's may in his discretion accelerate or at his then current salary rate for Disability Fund, in three equal inthe Foreign Service Retirement and following the officer's retirement salary at his then current salary combine the installments; and (contid on page 29)

Civil Service Retirement Act

or who attains the age of fifty of years and completes twenty years of service shall upon involuntary peparation from the service not by removal for cause on charges of misconduct or delinquency, be paid a reduced annuity computed as propletes twenty-flve years of service Sec. 5. (d) Any employee who com-

rears at date of separation. (Underscoring supplied)

(No comparable provision.) Sec. 9. (d) The annuity as here- 6 inbefore provided, for an employees retiring under section 5(b) or 6 (4) or a Wember retiring under the second or third sentence of section $6(\mathbf{f})$ or the third sentence of section $8(\mathbf{b})$ l per centum for each full month not in excess of sixty, and one-sixth of per centum for each full month in excess of sixty, such employee or & shall be reduced by one-twelfth of Sember is under the age of sixty

Sec 234(d) (cont'd)

provided in section 241(a), except that in lieu of such refund such pertion partion, if he has at least five elected to receive retirement beneage of sixty in accordance with the pregistions of section 221. In the separated from grade GS-13 or GS-12 a refund of the contributions section 232. In the event that a pageticipant who was separated from angi who has elected to receive re-25萬a)(2), may elect to receive re-(2) a refund of the contribution made to the fund, with interest as years of service credit toward retiment under the system, excluding military or maval service that is Bredited in accordance with the accordance with the provisions of ofweixty, the total amount of his with interest as provided in secdebth shall be considered a death Me dies before reaching the age timent benefits on reaching the event that a participant who was grade GS-11 or below and who has in service within the meaning of contributions made to the fund, reaching the age of sixty, his tion 241(a), shall be paid in tigement benefits dies before predisions of section 251 or

Foreign Service Act

from class & or 5 and who has elected to of section 851 or 852(a), may elect to receive retirement benefits on reaching ewent that an officer who was separated receive retirement benefits dies before the event that an officer who was sepa-Mited in accordance with the provisions the age of sixty in accordance with the within the meaning of section 832. In elected to receive retirement benefits pedd in accordance with the provisions ent under the Foreign Service Retiremilitary or naval service that is creshall be considered a death in service dies before reaching the age of sixty, made to the Foreign Service Retirement mears of service credit toward retired and Disability Fund, with interest as provided in section 841(a), shall be ent and Disability System, excluding the total amount of his contributions ment and Disability Fund, with intermuch officer, if he has at least five reaching the age of strty, his death rated from class 6 or 7 and who has made to the Foreign Service Retirea refund of the contributions provisions of section 821. In the except that in lieu of such refund set as provided in section 841(a), 634(b)(cont'd)

Cavil Service Retirement Act

Zee Sections 6(d) and 9(d) quoted immediately above_/

8

(51 U.S.C. 203) or the provisions of any other law, a participant who is retired in accordance with Fortstons of section 3477 of the Ac. 234. (e) Notwithstanding the of this section shall have the right to assign to any person or part of the benefits receivable by the purguant to paragraph (9)(1) of this section. the provisions of paragraph (d) Revised Statutes, as amended, corporation the whole or any

Sandatory Retirement for Age

sighty-five be retired from the Agency and receive retirement benefits in accordance with the proviargas of section 221, but whenever the Director shall determine it to be an the public interest, he may Seg. 235. (a) Any participant in the system in grade GS-18 or above extend such a participant's service for a period not to exceed shill upon reaching the age of five years.

Foreign Service Act

visions of section 3477 of the Bevised Foreign Service officer who is retired the whole or any part of the benefits or the provisions of any other law, a in accordance with the provisions of Treasury and a copy thereof shall be deposited with the Secretary of the Statutes, as amended (31 U.S.C. 203) Sec. 63h(c) Notwithstanding the prosection 633 shall have the right to receivable by him pursuant to paraassign to any person or corporation such assignment shall be on a form treasury by the officer executing approved by the Secretary of the graph (b)(1) of this section. the assignment.

career minister, ether than one occu-pying a position as chief of mission ar any other position to which he has Sec. 6M. Any Fereign Service offithe Senate, shall upon reaching the cer who is a career ambassador or a been appointed by the President, by and with the advice and consent of the Service and receive retirement age of sixty-five, be retired from whenever the Secretary shall debenefits in accordance with the interest, he may extend such an termine it to be in the public officer's service for a period provisions of section 821, but not to exceed five years.

Civil Service Retirement Act

No comparable provision

years and completed fifteen years of service shall be automatically separated from the service. Such separation shall be effective on 6 the last day of the month in which such employee attains the age of 6 seventy years or completes fifteen years of service if then beyond have attained the age of seventy of Sec. 5. (a) Except as hereinafter years of service if then beyond provided, an employee who shall such age, and all salary shall cease from that day.

(b) Each employing office shall thereof: Provided, That subsection (a) shall not take effect separation from the service at notify each employee under its direction of the date of such Least sixty days in advance without the consent of the

(cont'd on page 31)

Sec. 5(b) (continued)

Sec. 5(b) (continued)

of employee until sixty days after he has been so notified,

(c) The President may, by Executive Order, exempt from automatic separation tion under this section any employed when, in his judgment, the public inberest so requires.

apply to any person named in any Ack of Congress providing for the contiguance of such research. any Member, to any congressional employee, to the Architect of the Capigatol or any employee in the judicial branch who has been appointed to the bold office for a definite term of degrees. (d) The automatic separation probranch who has been appointed to

way, Territory of Alaska, certain Semployees of the Panama Canal Com-opany or the Canal Zone Government, of See Sec. 5(a) through (d) above, of the Canal Come (d) above, of the Canal Ca Sec. 5(e) is a special provision for employees of the Alaska Rail-

Sec. 235. (b) Any participant in the system, other than in grade GS-18 or above, shall upon reaching the age of sixty be retired from the Agency and receive retirement participant's service for a period benefits in accordance with the provisions of section 221, but whenever the Director shall detegraine it to be in the public inferest, he may extend such a not to exceed five years.

benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to Foreign Service Retirement and Disnot a career ambassador or a career ability System, other than one ocwhich he has been appointed by the President, by and with the advice and consent of the Senate, who is minister shall, upon reaching the age of sixty, be retired from the oe in the public interest, he may extend such participant's service Any participant in the mission or any other position to for a period not to exceed five cupying a position as chief of Service and receive retirement

begomes separated from the Agency withtogal amount of contributions from his sagary with interest thereon at 4 per centum, compounded annually period, except as provided in section 26g, shall be returned to him. Sed. 241. (a) Whenever a participant astof December 31, and proportionatecontributions made during or for such with the provisions of this Act, the LyPfor the period served during the on a deferred annuity in accordance mear of separation including all

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Foreign Service Act

becomes separated from the Service without becoming eligible for an armuity or amount of contributions from his salary June 30, 1960; semiannually as of December 31, 1960; amually thereafter as of December 31, and proportionately of separation including all contribua deferred amuity in accordance with with interest thereon at 4 per centum for the period served during the year tions made during or for such period, the provisions of this Act, the total per annum, compounded annually at the Sec. 841. (a) Whenever a participant except as provided in section 881, end of each fiscal year through shall be returned to him,

Civil Service Retirement Act

(2) any sums deposited by an employee or Member covering prior service, sand credit" shall mean the unrefunded amount consisting of (1) the retige-1956, or, in the case of an employee or Member separated or transferred (3) interest on such deductions and to a position not within the purchase of this Act before he has comvice, to the date of the separation ment deductions made from the basic clude interest for the fractional part of a month in the total ser-S vice. service covered thereby aggregate's one year or less, nor shall it ink shall not include interest if the deposits at 4 per centum per annum pleted five years of civilian sery or transfer. The lump-sum credity centum per annum thereafter compounded annually to December 31, to December 31, 1947, and 3 per Sec. 1. (1) The term "lump-sum

Sec. 11. (a) Any employee or MemBer who is separated from the services or is transferred to a position wherefin he dees not continue subject to this payment is filled with the Commission transfer occurs and application for at least thirty-one days before the credit provided his separation or earliest commending date of any annuity for which he is eligible. Act, shall be paid the lump-sum

Cly11 Service Retirement Act

The receipt of payment of the lumpersum credit by the individual shallowoid all amunity rights under this and all amunity rights under this act, unless and until he shall be a reemployed in the service subject at this Act, This subsection shalts also apply to any employee or Mem-wher separated prior to the effective date of the Civil Service Retirement Act Amendments of 1956 after com-60 pleting at least twenty years of civilian service.

Foreign Service Act

theough him, in the form of smut-ties, accumulated at the same rate of interest up to the date the annuanyum compounded annually as is protowal amount returned to such partipegment shall be a bar to recovery by any other person:
(21) To the beneficiary or beneviged in paragraph (a) of this section added thereto, exceed the ogs valid claim therefor, and such with the provisions of section 281, 2십고, (b) In the event that the of the annuity, the excess of the sociamisted contributions over the projectence, upon the establishment cigant or to an ammittant claiming ity payments cease under the terms ackniniated amunity peyments shall sigh interest at h per centum per bedpaid in the following order of pagticipant, other than voluntary togal contributions of a retired costributions made in accordance

capant in writing to the Director; (2) If there be no such beneficiary, to the surviving wife or husband of such participant; (3) If none of the above, to the child or children of such particlpent and descendants of deceased children by representation;

(μ) If none of the above, to the parents of such participant or the survivor of them;

(continued on page 34)

Pereign Service Act

ticipant, other than voluntary contriprovisions of section 881, with interestablishment of a valid claim therepayments shall be paid in the followtotal contributions of a retired parfor, and such payment shall be a bar thereto, exceed the total amount reputions made in accordance with the paragraph (a) of this section added burned to such participant or to an the date the anmuity payments cease under the terms of the annuity, the excess of the accumulated contribu-Sec. 841. (b) In the event that the annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to tions over the accumulated amunity est at 4 per centum per annum compounded annually as is provided in ing order of precedence, upon the to recovery by any other person:

(1) To the beneficiary or benefitclaries designated by the retired perticipent in writing to the Secretary;

(2) If there be no such benefitcdary, to the surviving wife or

(3) If none of the above, to the child or children of such particlpant and descendants of deceased masband of such participants children by representation;

(μ) If none of the above, to the parents of such participant or the survivor of them;

Civil Service Retirement Act

For definition of "lump-sum credit", above opposite sec. 241(a) of the see sec. 1(1) quoted immediately Proposed CIA Retirement Act.

of a deceased employee or Member a shall terminate before the total a annuity paid equals the lump-sum credit, the difference shall be pafed.

(f) If an annuitant dies, any anguity accrued and unpaid shall be paged.

(c) Lump-sum benefits authorized under subsections (d), (e), and (f) of this section shall be paid in the Sec. 11. (e) If all annuity rights muder this Act based on the servior

following order of precedence to C such person or persons surviving the employee or Member and alive at the date title to the payment arises, the end such payment shall be a bar too recovery by any other persons

ficiaries designated by the employed or Member in a writing received income Commission prior to his death; Second, if there be no such beneauchery, to the widow or widower of the carry, to the widow or widower of the carry, to the widow or widower of the carry, the widow or widower of the carry, the widow or widower of the carry. First, to the beneficiary or bene-

deceased children by representations Third, if none of the above, to o ployee or Member and descendants of the child, or children of the emthe employee or Member;

the parents of the employee or Mem-Fourth, if none of the above, to

(continued on page 3μ)

(continued on page 34)

\$ 241(b) (cont¹d)

(5) If none of the above, to use quity appointed executor or administrator of the estate of such participant;

(6) If none of the above, to contact the contact of the cont (5) If none of the above, to the

Spant as may be determined by the director in his judgment to be gegally entitled thereto.

D (c) No payment shall be made poursuant to paragraph (b)(6) of (c) No payment shall

Foreign Service Act

Sec. 841(b) (cont'd)

trator of the estate of such partiduly appointed executor or adminis-(5) If none of the above, to the d pant;

may be determined by the Secretary in (6) If nome of the above, to other his judgment to be legally entitled next of kin of such participant as the reto.

(c) No payment shall be made pursection until after the expiration guant to paragraph (b)(6) of this of thirty days from the death of the retired participant or his mrviving annuitant.

Civil Service Retirement Act

Sec. 11(c) (cont'd)

Sec. 11(c) (cont'd)

Fifth, if none of the above, ted

the duly appointed executor or ade

ministrator of the estate of the a

employee or Member;

the laws of the dominate of the 6 individual at the time of his deagh.

No comparable provision. Sixth, if none of the above, togother next of kin of the employeen or Member as may be determined by the Commission to be entitled under

PART F - PERIOD OF SERVICE FOR ANNUTTIES

Preposed CIA Retirement Act

Ogmputation of Length of Service

gy exceed six months in the aggre-Sec. 251. For the purposes of this gate in any calendar year shall be participant shall be computed from the Agency and so much of any Mile receiving benefits under the mideral Employees' Compensation Agt of September 7, 1916, as agended, (5 U.S.C. 751 et seq.) thus, the period of service of a ander the provisions of this Act, leaves of absence without pay as Mary, Air Force, Marine Corps, Coast Guard of the United Wrticipants while performing the leaves of absence granted

as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomay exceed six months in the aggre-Sec. 851. For the purposes of this provisions of this Act, as amended, forming active and honorable militerry or naval service in the Aray, but all periods of separation from gate in any calendar year shall be exaluded, except leaves of absence while receiving benefits under the participant shall be computed from tavy, Air Force, Marine Corps, or loast Guard of the United States. title, the period of service of a the effective date of appointment United States or from the date he leaves of absence without pay as matic or Consular Service of the Federal Employees' Compensation becomes a participant under the granted participants while peramended, and leaves of absence the Service and so much of any ct of September 7, 1916, as

i

Sec. 3. (a) An employee's services for the purposes of this Act incleding service as a substitute in the postal service shall be credited a from the date of original employ—a ment to the date of the separations. Government, Orean service in the Pans be allowed for service in the Pans American Sanitary Bureau, No cressit upon which title to annuity is based in the civilian service of the Government. Credit shall similaring in the civilian service of the separation from the service in excess of three calendar days.

(b) quoted below opposite

Retirement Act.

(c) Credit shall be allowed Car.

(e) Credit shall be allowed for cloyee while performing mulitary beryice or while receiving benefits under the Federal Employees' compensation Act of September 7, 1916, as amended, Except for a substitute in the postal service, there shall be excluded from credits so much of any other leaves of sbaence without pay as may exceed six months in the aggregate in eny calendar year.

national emergency as proclaimed by (d) An employee who during the Congress, has left or leaves his the President or declared by the service shall not be considered, postition to enter the military period of any war, or of any

separated from his civilian position ceive a lump-sum benefit under thas by reason of such military services, Sec. 3(d) (contid)

for the purposes of this Act, as 5 ing his civilian position beyond mecomber 31, 1956, or the expiraunless he shall apply for and re-Act: Provided, That such employeen shall not be considered as retain Sec. 3(d) (cont'd)

tion of five years of such military service, whichever is later.

(e) The total service of an employee or Member shall be the till years and twelfth parts.

thereof, excluding from the aggreegeste the fractional part of a month, if any.

(f) An employee must have completed at least five years of civilian service before he shall be eligible for annuity under this Act.

(g) An employee or Member must of have, within the two-year period of preceding any separation from sense vice, other than a separation by conversion of death or disability, conversion of death or disability, ble for annuity under this Act based or Member, other than an employee or Member separated from the service by reason of death or disability, fails on such separation. If any employee deducted from his salary during his he or his survivors shall be eligithe preceding sentence, the amounts table civilian service during which to meet the service requirement of pleted at least one year of credie he was subject to this Act before

(contid on pg 37)

period of service for which no defigibility for annuity is established based on such separation shall be returned to him upon such separation. Failure to meet this service requirement shall not design prive the individual or his survice vors of any annuity rights which a attached upon a previous separation. Sec. 3(g) (cont'd)
period of service for which no

with service of U.S. Commissioneds of U.S. of an employee under certain circumstances. Sec. 3(i) is concerned a

Sec. 3(a) quoted above opposite & sec. 251 of the Proposed CIA & Ratirement Act;
Sec. 3(j) quoted below opposite & sec. 252(e) of the Proposed CIA & Ratirement Act;
Sec. 1(c), (e), and (g) quoted & below opposite sec. 252(b) of the Proposed CIA Retirement Act; Sec. 3(a) quoted above opposite Sec. 3(1) quoted below opposite

Sec. 14(c), (e), and (g) quoted

sec. 252(b) of the Proposed CLA Retirement Acts/ Sec. h(d) quoted below opposite

section, include in his period of subject to the provisions of this Sec. 852. (a) A participant may, service(1) civilian service in the exebranches of the Federal Government ontive, judicial, and legislative and in the District of Columbia government, prior to becoming a participant; and

tary or naval service in the Army, Mary, Marine Corps, Air Force, or Coast Guard of the United States. (2) active and honorable mili-

Prior Service Credit

subject to the provisions of this section, include in his period of Sec. 252. (a) A participant may,

cutive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and Bervice---

tary or naval cervice in the Arm, Mayy, Air Force, Marine Corps, or Coast Guard of the United States.

year of service for which credit is sought prior to November 8, 1960, and at 6½ per centum thereafter with inderest compounded annually at h per centum per arms to the date of perment. Any such participant may, accordance with the provisions of pagagraph (a)(1) of this section by under such conditions as may be determined in each instance by the Mector, pay such special contrimaking a special contribution to the fund equal to 5 per centum of 252, (b) A person may obtain him basic amual salary for each ormor civilian service credit in bullions in installments.

Advisory pay such special bullions in installments.

Advisory bullions in installments.

Foreign Service Act

the reafter with interest compounded year of service for which credit is peragraph (a)(1) of this section by and prior to the effective date of the Foreign Service Act Amendments sought subsequent to July 1, 1924, annually at 4 per centum per annum to the date of payment. Any such person may, under such conditions stance by the Secretary, pay such accordance with the provisions of the Fund equal to 5 per centum of special contributions in install-Sec. 852. (b) A person may obtain as may be determined in each inmaking a special contribution to his basic annual salary for each prior clyllian service credit in of 1960, and at 6½ per centum ments.

Civil Service Retirement Act

Sec. 3(a) quoted above opposite

July 31, 1920, for which, for any a reason whatsoever, no retirement 6 deductions or deposits have been 6 made, may deposit with interest and amount equal to the following per-5 July 31, 1920, for which, for any centages of his basic salary recelved for such service;

Service Period Percentage of basic salary Employee:

August 1, 1920, to June 30, 1926
July 1, 1926, to June 30, 19428
July 1, 1942, to June 30, 19486
July 1, 1948, to October 31, 1956

After October 31, 1956

Incentage of Service Period

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Percentage of Mancher

Service Period basic salary

July 1, 1926, to June 30, 1942 July 1, 1942, to August 1, 1946 August 2, 1946, to October 31, 1956 August 1, 1920, to Jume 30, 1926 After October 31, 1956

(cont'd on page 39)

Civil Service Retirement Act

Sec. 4. (d) Each employee or Member who has received a refund of retirements deductions under this or any other de credit under this Act may deposit the amount received, with interest. Non credit shall be allowed for the serence overed by the refund until the deposit is made. service for which he may be allowed, tirement system established for employees of the Government covering o deposit is made.

be made in one or more installmentage.

No interest shall be charged for any period of separation from the service which began before October 1, 1956 g.

Sec. h(f) provides for entering deposits for prior service credit onginality individual retirement records. whichever is earlier. The interesting shall be computed at the rate of h mer centum per annum to December 31, 1947, Such deposit des cluded in the computation, or from She and 3 per centum per armum thereaffer compounded annually. Such depositive Sec. 1. (e) Interest under subsection (c) or (d) shall be computed from the midpoint of each service period indeposit or commencing date of annuly date refund was paid, to the date of

- for periods of military service or for (g) We deposit shall be required for any service prior to August 1, 1920, any service for the Panama Railroad Company prior to January 1, 1924.
- (h) For purposes of survivor annuity, (c) and (d) may also be made by the deposits authorized by subsections survivor of an employee or Member.

ingnsfer, such officer or employee's the other Government retirement fund on account of service rendered officer or employee shall be deemed participant in the system by direct ingluding interest accrued thereon, order to beceming a participant in to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance officer or smployee becomes a partigipant in the system. Each such of all claims and demands against togal contributions and deposits, shall be transferred to the fund medt retirement system becomes a maloyee under some other Govern-If an officer or saffept voluntary contributions, effective as of the date such 252(c)(1) the system.

L(2) No participant, whose contesting in accordance with the provisions of paragraph (c)(1) of this abouter, shall be required to make dentributions in addition to these than the for pariods of service 10 which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such participant on account of contributions made during any period to the other Government retirement fund at a higher rate than that fixed by section 21 of this Act for contributions to the fund.

Foreign Service Act

cipant in the System by direct transfer, such officer or employee's total transferred to the Fund effective as of the date such officer or employee be deemed to consent to the transfer ing interest accrued thereon, except becomes a participant in the System. smployee under some other Government Each such officer or employee shall retirement system, becomes a particontributions and deposits, includretirement fund on account of sermands against the other Government voluntary contributions, shall be acquittance of all claims and device rendered prior to becoming a shall be a complete discharge and 852. (c)(1) If an officer or of such funds and such transfer participant in the System.

account of contributions made during contributions are transferred to the made to the other Government retiremade to such officer or employee on (2) No officer or employee, whose those transferred, for periods of service any period to the other Government Fund in accordance with the provisection, shall be required to make ment fund, nor shall any refund be than that fixed by section 811 of retirement fund, at a higher rate this Act for contributions to the stons of paragraph (c)(1) of this for which full contributions were contributions in addition to

Civil Service Retirement Act

No comparable provision.

No comparable provision.

ş

the provisions of paragraph (c)(1) of this section, shall receive credit for of montributions has been made, or for periods of service for which a refund fergred to the fund in accordance with the other Government retirement fund. meging a special contribution to the whee no contributions were made to fugg in accordance with the provi-A participant may, however, obtain Sec. 252. (c)(3) No participant, credit for such prior service by wimes centributions are transsions of paragraph (b) of this section.

receive any amuity under another refirement system covering civilian personnel of the Government, productivilian service credit temard regimement under the system for any basis of which he is receiving or period of civilian service on the Zd) No participant may obtain

Foreign Service Act

ployee, whose contributions are transferred to the Fund in accordance with this section, shall receive credit for the provisions of paragraph (c)(1) of the other Government retirement fund. making a special contribution to the which no contributions were made to July 1, 1924, for which a refund of contributions has been made, or for A participant may, however, obtain Fund in accordance with the provi-Sec. 852. (c)(3) No officer or emcredit for such prior service by periods of service subsequent to sions of paragraph (b) of this section.

prior civilian service credit toward retirement system covering civilian retirement under the System for any will in the future be entitled to receive any annuity under another basis of which he is receiving or period of civilian service on the (d) No participant may obtain personnel of the Government.

Civil Service Retirement Act

of retirement deductions under this or any other retirement system established for employees of the Government covering services. for which he may be allowed credity the service covered by the refund Member who has received a refund amount received, with interest. No credit shall be allowed for under this Act may deposit the Sec. 4. (d) Each employee or until the deposit is made.

Mo prevision precisely compare-ble; however, provisions of sec. 2(b) and L(c) and (d) operated to exalude such service.

Sec. 3(j) quoted below epposite to sec. 252(e) of the Proposed CIA Retirement Act relates also to credit for certain Peace Corps wolunteer service.

Sec note on page 12 concerning

See note on page h2 concerning exclusion of service on which entitlement to Social Security benefit is based. instrumentality thereof, there

CAVI Service Retirement

Security Social Let Amendments of 1954: MOTE: Sec. 115,

Act Amendments of 1994:

Covered Employment Not Counted ad Covered Employment Not Counted ad Systems

Notwithstanding any other providing of law, in determining eligible billity for or the amount of any benefit (other than a benefit of under title II of the Social Secutify Act or under the Railroad Re-6 tirement Act of 1937, as amended) under any retirement system estabed lighed by the United States or and

Foreign Service Act

Proposed CIA Retirement Act

pay on account of a service-connected disphility incurred in combat with an enemy of the United States or caused separation from the Agency. However, in the case of a participant who is skell be included. No contributions of paragraph (a)(2) of this section. by ya instrumentality of war and inoredit in accordance with the provi-sides of paragraph (a)(2) of this Sec 252. (e) A participant may obtain prior military or naval service period of war (as that term is used in the case of a participant who is eligible for and receives retired payon account of military or naval sergice, the period of service upon shall not be included, except that States Code), or is awarded under chapter 67 of title 10 of the undered states Code, the period of such military or naval service service credited to a participant in accordance with the provisions inSchapter 11 of title 38, United commection with military or naval eligible for and receives retired tonthe fund shall be required in section by applying for it to the cuffred in line of duty during a which such retired pay is based Midstor prior to retirement or

Foreign Service Act

pay on account of a service-comected disability incurred in combat with an separation from the Service. However, service credited to a participant in in connection with military or mayal enemy of the United States or caused by an instrumentality of war and incurred in line of duty during a period of war (as that term is used tain prior military or mayal service credit in accordance with the proviin the case of a perticipant who is in the case of a participant who is service, the period of service upon tions to the Fund shall be required pay on account of military or maval Sec. 852. (a) A participant may obshall not be included, except that paragraph (a)(2) of this section. eligible for and receives retired States Code), or is awarded under accordance with the provisions of in chapter 11 of title 38, United United States Code, the period of eligible for and receives retired sions of paragraph (a)(2) of this section by applying for it to the shall be included. No contribu-Secretary prior to retirement or which such retired pay is based such military or naval service chapter 67 of title 10 of the

Civil Service Retirement Act

pariod of war (as that term is used in Chapter 11 of title 38, United 2 States Code), or is awarded under dittle III of Public Law 810, Lightieth Congress, except that for purposes of section 9(c)(1), a conjy for periods of military ser-y any military service performed byo the member upon leaving his office, for the purpose of performing such service, during any war or national not be included, unless such retirad pay is awarded on account of a serge-corns of a disability (1) in-6 curred in combat with an energy of curred united States or (2) caused by an instrumentality of war and in-5 vice not exceeding five years, ples Sec. 3. (b) An employee or Member to expand the allowed credit for periodic of military service prior to the class of the separation upon which a title to annuity is based; howevery if an employee or Member is awarded retired pay on account of military, service, his military service shall emergency proclaimed by the Prester dent or declared by the Congress from service as Member and (B) may and prior to his final separation pay under any other provision of allowed for purposes of retired law. Nothing in this Act shall not receive credit for military curred in line of duty during a affect the right of an employee service for which credit is

Sec. 3(b) (cont'd)

or a Member to retired pay, pensign, or compensation in addition to the annuity herein provided.

Zec. 1. (r) The term "military service" shall mean honorable active aservice in the Army, Navy, Air Forder, Marine Corps, or Coast Guard of the Haited States. United States, or, after June 30, 1960, in the Regular Corps or 6 Reserve Corps of the Public Health Service, or, after June 30, 1961, 2 as a commissioned officer of the 5

Coast and Geodetic Survey, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

Sec. 3. (j) Notwithstanding any cother provision of this section de section 5(f) of the Peace Corps Ast, any military service (other than of military service covered by military leave with pay from a civilgan tary leave with pay from a civilgan position) performed by an individual after December 1956 and any period of service by an individual as a on shall be excluded in determining the chapter to such individual or to his wolunteer under the Peace Corps Act which an annuity payable under this such individual or widow or child is entitled (or would upon proper widow or child is to be based, if aggregate period of service upon application be entitled) at the time of such determination,

(contid on pg 45)

Civil Service Retirement Act

preceding sentence, but upon attagh-ing age sixty-two, he or she becomes entitled (or would upon proper applithe request of the Commission, the Inform the Commission whether or one or child is entitled at any speed fied time the such benefits.

Sec. 4. (g) No deposit shall be confirmed for any service prior to the confir cation be entitled) to such beneffts, the Commission shall redetermine The individual's wages and self-emplog-If in the case of the Corps Act is not excluded under the service, or service under the Peaße such age, so as to exclude such & service. The Secretary of Health, Education, and Welfare shall, upost to monthly old-age or survivors of benefits under section 202 of the Social Security Act, as amended of the U.S.C. 102), based on such aggregate period of service upon control such annuity is based, effertive as of the first day of the z individual or widow such militaryô month in which he or she attains (42 U.S.C. 402), based on such Sec. 3(1) (cont'd) ment income.

Sompany prior to January 1, 1924, service for the Panama Railroad August 1, 1920, for periods of military service or for any

Observing periods of leave of absence from the Agency granted a par-

ticipant while performing active military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

Sec. 854. Contributions shall not leave of absence from the Service service in the Army, Navy, Marine granted a participant while performing active military or naval be required covering periods of Corps, or Coast Guard of the Inited States,

(contid on pg 47)

Proposed CIA Retirement Act

PART G-MONEYS

Essimate of Appropriations Meeded

Seq. 261. The Director shall prepare the estimates of the annual
sparopriations required to be made
to the fund, and shall cause to be
make actuarial valuations of the
fund at intervals of five years,
orgoftener if deemed necessary by
him.

Sec. 861. The Secretary of the Treasury shall prepare the estinates of the annual appropriations required to be made to the Fund, and shall make actuarial valuations of such funds at intervals of five years, or oftener if deemed necessary by him. The Secretary of State may expend from money to the credit of the Fund an amount not exceeding \$5,000 per annum for the incidental expenses necessary in administering the provisions of this title, including actuarial advice.

Sec. 862. The Secretary shall submit annually to the President and to the Congress a comparative report showing the condition of the Fund and estimates of appropriations necessary to continue this title in full force.

CIA-RDP78-03721A000200020005-1

Sec. 17. (e) The Commission shalf-submit estimates of the appropriations necessary to finance the fund on a normal cost plus interest basis and to continue this Act in full force and effect.

Sec. 16. (2) The Commission shalls publish an annual report upon the operations of this Act and shall include in each such report a statement with respect to the stagus of the fund on a normal cost pluspinterest basis.

interest basis.

(g) The Commission is hereby and thorized and directed to select three actuaries, to be known as the Board of Actuaries of the Civil Service Retirement System. It shall be the duty of such Board to report annually upon the actuarial status of the system and to furnish its cavice and opinion on matters recommend to it by the Commission, and it shall have the authority to recommend to the Commission and to be congress such changes as in the Board's judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis. The Commission shall keep or cause to be kept such records as it deems necessary for making periodic actuarial valuations of the Civil Service Retirement System, and

the Board shall make such valuations at intervals of five years, or of-tener if deemed necessary by the 6 Commission. The compensation of the exclusive of such members as are in the employ of the United States, a shall be fixed by the Commission of members of the Board of Actuaries Sec. 16(g) (cont'd)

Sec. 17. (c) The Secretary of the Treasury shall immediately investing in interest. the United States, such currently available portions of the fund as are not immediately required for Derments from the fund, and the dincome derived from such invest. in interest-bearing securities of income derived from such invest-

time in interest-bearing securities

of the United States such portions of the Fund as in his judgment may

Ireasury shall invest from time to

Sec. 863. The Secretary of the

payment of annuities, cash benefits,

refunds, and allowances, and the

not be immediately required for the

income derived from such investments

shall constitute a part of such

credit to the fund moneys received legacies, or bequests, or otherwise civil service employees generallys in the form of donations, gifts, contributed for the benefit of

obligations of the United States may Sec. 17. (d) The purposes for which be issued under the Second Liberty extended to authorize the issuance at par of public-debt ebligations Bond Act, as amended, are hereby

(contidon pg 48)

ments shall constitute a part of the fund.

[Sec. 17. (a) The fund is hereby of appropriated for the payment of the benefits as provided in this Act. (b) The Secretary of the Treasury is hereby suthorized to accept and

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ned be immediately required for the payment of amnities, cash benefits, required, and allowances, and the Ingome derived from such investments time in interest-bearing securities Sec. 262. The Director may, with the approval of the Secretary of the Treasury, invest from time to of the United States such portions of the fund as in his judgment may shall constitute a part of such fund.

Approved For Release in the Fund

Sec. 17 (d) (cont'd)

for purchase by the fund. Such deplications issued for purchase by the fund. Such deplications issued for purchase by the fund shall have meturities fight the fund shall have meturities fight the fund and bear interest at a rate of equal to the average market yields computed as of the end of the calgadar month next preceding the date of such issue, borne by all marketable interest—bearing obligations of the united States then forming a part of the public debt that are not of due or callable until after the expiration of four years from the cape of such calendar month, except that where such average market yield is not a multiple of one—eighth of l per centum, the rate of interesty on such obligations shall be the multiple of one—eighth of l per contum nearest such average market yield. The Secretary of the multiple of one—eighth of l per contum nearest such average market yield. The Secretary of the bearing obligations of the United States, or obligations guaranteed States, or obligations that such purchases are in the public interest.

Seg. 263. None of the moneys men-tiened in this title shall be assignsuggect to execution, levy, attach-ment, garnishment, or other legal pracess, except as provided in sec-tion 234 (e). able either in law or equity, or be

Foreign Service Act

Civil Service Retirement Act

tioned in this title shall be assignsubject to execution, levy, attachable either in law or equity, or be None of the moneys menment, garmishment, or other legal process, except as provided in section 634 (c). Sec. 864.

Sec. 15. (a) None of the moneys
mentioned in this Act shall be
assignable either in law or equity,
or be subject to execution, lavy, a
attachment, garnishment, or other a
legal process.

(b) Notwithstanding any other e
provision of law, there shall be 6
no recovery of any payments under 6
this Act from any person when, ince
the judgment of the Commission, sinch

cnarge or into outcome, ductes and unless the head of the departments of agency on behalf of which the certification or payment was made outlification or payment of sughtinoolyeed fraud on the part of sugh employee. equity and good conscience; nor shall there be any withholding or recommeny of any momenys mentioned in this Act payment made by any former employee person is without fault and such ... on account of any certification of of the United States in the disthe judgment of the Commission, charge of his official duties

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PART H. RETINED PARTICIPANTS
CHRISLED, REINSTATED, OR RECAPPOINTED IN THE AGENCY, OR
CRESHPLOYED IN THE GOVERNMENT

Rosell

Seg. 271. (a) The Director may retermine such recall is in the public in othe Agency whenever he shall deinterest.

with the provisions of paragraph (a) of this section or reinstated or re-(6) Any such participant recalled to cauty in the Agency in accordance prodisions of section 231(b) shall, shall make contributions to the fund in accordance with the provisalary of the grade in which he is selying. During such service, he in Secordance with the provisions of wee. 221. appointed in accordance with the while so serving, be entitled in weres to his retired status, his ammenty shall be determined anew lien of his amunity to the full

Foreign Service Act

call any netimed Foreign Service offilcer temporarily to duty in the Service Sec. 520. (b) The Secretary may rerecall is in the public interest. whenever he shall determine such

with the provisions of section 520(b) cordance with the provisions of section 831(b) shall, while so serving, or reinstated or reappointed in ac-Sec. 871. Any annuitant recalled to When he reverts to his retired stawith the provisions of section 811. be entitled in lieu of his anmuity to the full salary of the class in which he is serving. During such duty in the Service in accordance mined anew in accordance with the tus, his annuity shall be deterservice, he shall make contributions to the Fund in accordance provisions of section 821.

Civil Service Retirement Act

Although there is not a provision in the Civil Service Retirement of Act for "recall" of an annultant of the provisions of sec. 13 (b), and quoted immediately below, are analogous to the provisions of Sec. 271(b) of the Proposed CIA element Act for purposes of determining compensation, additional service credit, recomputation of annulty, etc.

vistons of this Act, or (3) a Member retired under this Act, hereafter of becomes employed, or on the date of enactment of the Civil Service Rectirement Act Amendments of 1956 in serving, in an appointive or elective position, his service on and cafer the date he was or is so annuitant whose annuity is terminated this Act (other than (1) a disabiffty toration of earning capacity, (2) dan under the automatic separation proby reason of his recovery or res-P annuitant whose annuity was based of upon an involuntary separation from the service, excluding a separation shall be withheld from his salary, equal to the ammity allocable to employed shall be covered by this No deductions for the fund the period of actual employment, leave payment purposes under the but there shall be deducted from his salary, except for lump-sum Act of December 21, 1944, a sum and this provision concerning Act.

(contid on pg 51)

Foreign Service Act

Civil Service Retirement Act

termination of employment shall be increased by an ammity computed by an ammity computed by an ammity computed by and (f) of section 9 as may applyed besed upon the period of and the besic salary (before deduction) of averaged during such employment, and (2) his lump-sum credit shall not be reduced by anmity paid bloyment of an ammitant under this subsection shall not operate the subsection shall not operate to create an ammity for or in and survivor. Any such ammitant whose Sec. 13(b) (cont'd)

the lump-sum leave payments shallonalse be effective in the case of peach retired employee separated of from reemployment after December 15, 1953, and before the effective date of the Civil Service Registrement Act Amendments of 1956; a Provided, That if such annuitant best one year in employment not excluding him under section 2(b) c from coverage, (1) his annuity upon described employment continues for Lieu of the benefit authorized by sit in the fund of an amount computed under section $\mu(c)$ covering such employment. A similar right provisions of this Act upon depoto redetermination after deposit the provise herein, to have his at least five years may elect, rights redetermined under the

Sec. 13(b) (cont'd)

shall be applicable to an annuitanta
(1) whose annuity is based on an
involuntary separation from the
service, and (2) who is separated, on
or after the date of enactment a
of this sentence, after a period of
reemployment on a full-time basis
which began before October 1, 1956,

[Sec. 13(c) is concerned with the 66
reemployment of a retired Mamber.

which he is qualified. An annuitant so reemployed shall serve at the wight of the appointing officer. Sec. 13. (a) Notwithstanding any other provision of law, an annuitant herego-fore or hereafter retired under this ment in any appointive position for Act shall not, by reason of his re-o tired status, be barred from employed

provisions of title 5, United States Gode, section 62, and title 5, United States Code, section 715%, * Foreign after retired under the provisions of after retired under the provisions of employment in Federal Government ser-Service officer heretofore or hereso reemployed shall serve at the will section 631 or 632 or a Foreign Service staff officer or employee herewhich he is qualified. An annuitant section 803 shall not, by reason of vice in any appointive position for his retired status, be barred from Sec. 520. (c) Notwithstanding the of the appointing officer.

-55-

Reemployment Compensation

Sec. 273. (a) Notwithstanding any coner provision of law, any annual-tent who has retired under this Act and who is reemployed in the Federal General error of the receive the salary of the position in which he is serving plus so make of his annuity payable under the salary does not exceed during any calendar year the basic salary and annuitant was entitled to receive the Agency. Any such reem-to-proved annuitant who receives salary during any calendar year in excess of the maximum amount which his paragraph shall be entitled to receive salary and sealary in lifeu of benefits may be entitled to receive under the salary in lifeu of benefits in secunder.

Foreign Service Act

calendar year in excess of the maxiand is receiving an amnuity pursuant be entitled to receive the salary of shall be entitled to such salary in mum amount which he may be entitled Act, as amended, on the date of his such reemployed officer or employee plus so much of his annuity payable when combined with such salary does not exceed during any calendar year any appointive position either on a the position in which he is serving or employee of the Service, who has retired under this Act, as amended, other provision of law, any officer part-time or full-time basis, shall retirement from the Service. Any under this Act, as amended, which theretes and who is reemployed in the Federal Government service in 872. (a) Notwithstanding any under sections 112 or 115 of the the basic salary such officer or employee was entitled to receive to receive under this paragraph who receives salary during any lieu of benefits hereunder.

Cavil Service Retirement Act

See sec. 13(b) quoted above opposite sec. 271 of the Proposed CIA Retirement Act which provides in part as follows:

his salary...a sum equal to the anditity allocable to the period of actual employment.")

2

the employer shall send a notice to the Agency of such reemployment togs ther with all pertinent inforpaydirectly to such annuitant the safery of the position in which he macton relating thereto, and shall 273. (b) When any such retimed annuitant is reemployed, is gerving. o

overpayment shall be recovered by re@mployed annuitant, or from any dc) In the event of any over-pagment under this section, such wifinolding the amount involved from the salary payable to such other moneys, including his an-

Foreign Service Act

lating thereto, and shall pay directly to such reemployed officer or em-872. (b) When any such retired State of such reemployment tegether with all pertinent information reis reemployed, the employer shall send a notice to the Department of officer or employee of the Service playee the salary of the position in which he is serving. (c) In the event of any overpayment shall be recovered by withholding the smount involved from the salary payunder this section, such overpayment employee, or from any other moneys, able to such reemployed officer or including his anmuity, payable in description with the provisions of the title.

Civil Service Retirement Act

No comparable provision.

Act from any payments under this fact from any person when in the fundament of the Countistion, such leaves on is without fault and such leaves would be continuity to equity and good consciences.

(Sec. 15(b) is quoted in full above opposite sec. 263 of the Proposed GIA Retirement Act.) No comparatue provision. However, be bec. 15(b) provides in part:

Notwithstanding any other provise sion of law, there shall be no



PART I -- VOLUNTARY CONTRIBUTIONS

Sec. 281. (a) Any participant may, at his option and under such regulations as hay be prescribed by the Director, deposit additional sums in multiples of A per centum of his basic salary, of wsuch salary, which amounts togeof Geoember 31, and proportionately for the period served during the year of his retirement, including for such period, shall, at the date bugnot in excess of 10 per centum ther with interest at 3 per centum of Pis retirement and at his elecpercannum, compounded annually as all contributions made during or

returned to him in a lump

tional life amutity; or (3) used to purchase an additional life amutity for himself and to provide for a cash payment on Sis death to a beneficiary
whose name shall be notified in
wriging to the Director by the
paradicipant; or
(L) used to purchase an addi-

his death payable to a beneficiary equal to the cash payment refarred legal representative of an amount and a life annuity commencing on return to the beneficiary or his tional life annuity for himself whose name shall be notified in writing to the Director by the participant with a guaranteed to in subparagraph (3) above.

Foreign Service Act

with interest at 3 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semd-annually as of December 31, 1960; annualas may be prescribed by the President, ally thereafter as of December 31, and during the year of his retirement, inor for such period, shall, at the date Sec. 881. (a) Any participant may, at his option and under such regulations deposit additional sums in multiples proportionately for the period served cluding all contributions made during but not in excess of 10 per centum of of his retirement and at his election of 1 per centum of his basic salary, such salary, which amounts together 8,8

(1) returned to him in a lump sum;

(2) used to purchase an additional life annuity; or

vide for a cash payment on his death to a beneficiary whose name shall be notified in writing to the Secretary by the life annuity for himself and to pro-(3) used to purchase an additional participant; or

annuity commencing on his death payable to a beneficiary whose name shall be (4) used to purchase an additional notified in writing to the Secretary by the participant with a guaranteed life annuity for himself and a life equal to the cash payment referred legal representative of an amount return to the beneficiary or his to in paragraph 3.

CAVIL Service Retirement Act

by the Commission, voluntarily contribute additional summe in multiplies separation or transfer to a position Sec. 12. (a) Any employee or Member voluntary contribution account, to the commencing date fixed for such deferred annuity or date of death, whichever is earlier. of \$25, but the total may mot ex. 0 cood 10 per centum of his basic a salary for his creditable service irom and after August 1, 1920.

The voluntary contribution account in each case shall be the sum of of such unrefunded contributions, plus not within the purview of this Acto may, under regulations prescribedo interest at 3 per centum per annum separated with title to a deferred compounded annually to date of from and after August 1, 1920, mmuity and does not claim the

tion to the annuity otherwise pro-S vided. For each \$100 in such vol-1 whichever is earlier.
(b) Such veluntary contribution of at retirement an annuity in addi- S of fifty-five years at the date of account shall be used to purchase untary contribution account, the additional anmuity shall consist of \$7, increased by 20 cents for ployee or Member is over the age each full year, if any, such emretirement.

(c) A retiring employee or Member annuity described in subsection (b) anmuity in lieu of the additional may elect a reduced additional

outions and interest in the case of

death or separation from the

tion 241 for the raturn of contri-

the same manner provided in sec-

him under the provisions of said paragraph (a) shall be refunded in

graph (a) of this section, made by

adentional deposits with interest

ating per centum per ammum, com-pounded as is provided in para-

fog any reason except retirement on he amount of any

betoms separated from the Agency

B) In case a participant shall

this purpose by the Director.

by subparagraphs 2, 3, or h of parashall be calculated upon such tables of mortality as may be from time to Sec. 881. (b) The benefits provided time prescribed for this purpose by graph (a) of this section shall be actuarially equivalent in value to the payment provided for by paragraph (a)(1) of this section and the Secretary of the Treasury.

see 281. (b) The benefits provided by caubparagraphs (2), (3), or (\(\pi\)) of paragraph (a) of this section shall be actuarially equivalent in value to the payment provided for by cubparagraph (a)(1) of this section such tables of mortality as may be fresh time to time prescribed for

annuity, the amount of any additional deposits with interest at 3 per centum in paragraph (a) of this section, made become separated from the Service for per annum, compounded as is provided by him under the provisions of this any reason except retirement on an manner provided in section 841 for paragraph shall be refunded in the (c) In case a participant shall interest in the case of death or the return of contributions and separation from the Service.

Civil Service Retirement Act

and designate in writing a persongte receive after his death an annuity of 50 per centum of his reduced agditional annuity. The additional anguity of the employee or Member makang such election shall be reduced by 10 per centum, and by 5 per centum retiring employee or Member, but 6 such total reduction shall not 6 exceed 10 per centum.

Sec. 12(b) and (c) quoted immedicately above specify the benefits o for each full five years the person designated is younger than the Sec. 12(c) (cont'd)

provided under the comparable propriet of the Civil Service Re-Full Service Re

application for payment is filled gith the Commission prior to receipt of any annuity, but such account shall not in any case include interest Beyond date of payment, Such indivigual posit additional sums under this spotion only if he again becomes subject the service of more than three calento this Act after a separation from shall thereafter be eligible to de-(d) Any present or former employees or Member shall be paid the volumes tary contribution account provider dar days.

animities or any right thereto based on the voluntary contribution account shall be paid under the provisions of section 11(c). If all additional the voluntary contribution account (e) If any present or former employee or Member not retired dies, (cont'd on page 56)

provisions of section 11(c).

Sec. 12(b) quoted in full above of opposite sec. 281(a) of the Proposed CIA Retirement Act states in part: a 3uch voluntary contribution acceptate. of a deceased employee or Member E terminate before the total additional annuity paid equals such account, ghe difference shall be paid under the Sec. 12(e) (cont'd)

ment an annuity in addition to the cannuity otherwise provided. (Underwesting supplied.)

Sec. 12(c), quoted in full above similarly refers to a "reduced additional annuity." shall be used to purchase at retired

to an officer or to his beneficiary Mits otherwise provided under this Sec. 881. (d) Amy benefits payable in respect to the additional deposats provided under this paragraph shall be in addition to the bene-Htle. tom participant or to his benefit-Sec. 281. (d) Any benefits payable cigry in respect to the additional tion shall be in addition to the benefits otherwise provided under deforts provided under this sec-

Proposed CIA Retirement Act

Approved

NOTE: COST-OF-LIVING ADJUSTMENT OF ANNUTTIES

spacial provision for automatic costof living increases in annuities. In of Joctober 11, 1962, each annuity in effect as of 1 Jamuary 1963 was increased by 5 per centum. Part III of the Act of October 11, 1962 furcentum in amnuities beginning during indamuities beginning during calendary year 1965, and of 1 per centum pexable provisions in either the Fereign Service Act or the Proposed CLA Retirement Act. defition, under Part III of the Act peg centum in each armuity (except and purchased by voluntary contributions) commencing between 2 Janu-Segition 18 of the Civil Service Reendar year 1966. There are no comarg and 31 December 1963, of 3 per capendar year 1964, of 2 percentum Incannuities beginning during calthey provided for an increase of h tidement Act, quoted below, makes

Campbed on determination, the follow-Sec. 18. (a) After January 1, 1964, and after each succeeding January 1, the Commission shall determine the per centum change in the price index from the later of 1962 or the year living adjustment to the latest compreceding the most recent cost-ofplate year. On the basis of such ing adjustments shall be made:

(1) Effective April 1, 1964, if the to 1963 shall have equaled a rise of change in the price index from 1962 at least 3 per centum, each amuity payable from the fund which has a

1963 shall be increased by the per cenocumencing date earlier than Jamesry 2, tum rise in the price index adjusted to the meanest one-tenth of 1 per centum.

year shall be increased by the per centum from the fund which has a commencing date earlier than January 2 of the preceding least 3 per centum, each ammity payable rise in the price index adjusted to the change shall have equaled a rise of at other than 1964 after the price index (2) Effective April 1 of any year nearest one-tenth of 1 per centum.

(b) Eligibility for an annuity increase the commencing date of each annuity peyunder this section shall be governed by date of an increase, except as follows: able from the fund as of the effective

creased as provided in subsection (a)(1) first increase under this section, an which armuity commenced the day after annuity to the annuitant was earlier (1) Effective from the date of the child entitled under section 10(d)), than January 2 of the year preceding the annuitant's death, shall be inor (a)(2) if the commencing date of annuity payable from the fund to an annuitant's survivor (other than a the first increase.

date, an annuity payable from the fund to an annuitant's survivor (other than under this section, shall be increased a child entitled under section 10(d)), which amulty commences the day after effective date of the first increase the annuitant 's death and after the by the total per centum increase the (2) Effective from its commencing annitant was receiving under this setion at death.

between Jamuary 2 of the year pressdtotal per centum increase allowed Band in force under this section, and in case of a deceased annuitant, the items 40 per centum and 50 per cent ing the first increase and the effec-\$1,800, and \$2,160 appearing in section 10(d) shall be increased by the increase were in effect with respect effective date of the first increase under this section to a child under section 10(d), the items \$600, \$7\20, tum appearing in section 10(d) shall be increased by the total per centim increase allowed and in force under this section to the annuitant at 6 death, Effective from the date of 6 the first increase under this seed to computation of a child's annuity under section 10(d) which commenced tion, the provisions of this paragraph shall apply as if such first (3) For purposes of computing an annuity which commences after the tive date of the first increase.

(c) No increase in annuity pro-byded by this section shall be computed on any additional annuits purchased at retirement by voluncy tary contributions.

(d) The monthly installment of computity after adjustment under

this section shall be fixed at the nearest dollar, Sec. 1(t). The term "price index" shall mean the annual average over a calendar year of the Consumer Price Index (all items -- United monthly by the Bureau of Labor Statistics, States city average) published